REMARKS

The Official Action of March 24, 2005 has been carefully considered. The changes presented herewith, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

Claims 1-21 and 27-30 are hereby canceled, and claims 22 and 26 are herein amended. Accordingly, claims 22-26 and 31-55 stand pending in this application and are believed to be in condition for allowance.

Claims 22-30 have been rejected under 35 U.S.C. §103(a) as being unpatentable over DE 19818546 taken together with Applicant's own admission and FR 2737478A1. This rejection is traversed because neither DE 19818546 nor FR 2737478A1, alone or in any arguable combination with each other or with any arguable admission by Applicant, teaches, discloses, or otherwise suggests the methods of claims 22-30. Reconsideration is respectfully requested.

The Official Action contends that DE 19818546 discloses a process wherein a mobile juice extraction system is located at a fruit orchard for harvesting fruit and obtaining juice. In particular, the Official Action contends that DE 19818546 discloses a transporting method via a mobile semi-trailer for carrying fruit, a dispensing step (i.e. hopper) for providing fruit to the mobile semi-trailer, washing of the fruit, a multiple step extraction method step, peel and non-juice material being processed and conveyed as mush, the juice being held in a tank, and transporting using conveyors, wherein the process is provided with its own power source which is inherently operated when the fruit is to be processed. According to the Official Action, DE 19818546 also provides for immediate treatment of the fruit following harvesting and, since the system would be set up at the grove, the fruit would be processed within four hours. However, the Official Action concedes that DE 19818546 does not specifically disclose treatment of citrus juice. The Official Action nevertheless contends that DE 19818546 discloses pressing steps and a description of an apparatus capable of removing juice from citrus fruit, and that it would have been obvious to one having ordinary skill in the art at the time of the invention to have employed the process of DE 19818546 to remove juice from citrus fruit.

Contrary to the contentions in the Official Action, DE 19818546 does not teach, disclose or otherwise suggest extraction of juice from citrus fruit. Page 3, line 6 of the Official Action even concedes that "DE 19818546 does not specifically disclose treatment of citrus juice per se...." Citrus fruit processing is significantly distinct from non-citrus fruit processing. In particular, peel oils generally do not present a problem when introduced into juice extracted from non-citrus fruit, and juice can accordingly be successfully extracted from non-citrus fruit through crude crushing processes, such as that arguably disclosed in DE 19818546. However, such crude processes are entirely inapplicable to citrus fruit and accordingly would not have been considered by a person having ordinary skill in the art of citrus fruit processing. More particularly, if the extractor of DE 19818546 were used with citrus fruit (e.g., oranges), although nothing of record suggests such a modification, substantial quantities of undesirable peel oils would be introduced into the extracted juice, thus rendering the extracted citrus fruit juice undesirable for consumption. This distinction between the extractors of DE 19818546 and extractors suitable for use with citrus fruit is therefore quite significant. By failing to teach citrus fruit, DE 19818546 avoids any relevance whatsoever to Applicant's claimed citrus fruit processing invention, and accordingly is not properly relied upon in the Official Action. There is simply no evidence of record to support any position that non-citrus fruit processing is relevant to citrus fruit processing, and/or that mobile extraction of citrus fruit juice can be achieved. Although FR 2737478 arguably teaches refrigerated juice transport, it does nothing to resolve the deficiencies of DE 19818546 with regard to mobile extraction of juice from citrus fruit. For all of these reasons, neither DE 19818546 nor FR 2737478A1, alone or in any arguable combination with each other or with any arguable admission by Applicant, teaches or suggests mobile extraction of citrus fruit juice as respectively recited in each of independent claims 22, 26, and 31. For this reason, this rejection is improper and should be removed. Reconsideration is respectfully requested.

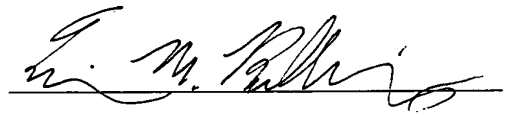
As yet another reason why the claims are allowable over the cited art, each of independent claims 22, 26 and 31 respectively recites chilling the extracted citrus fruit juice to at least a temperature effective for stabilizing the juice. The Official Action contends that FR 2737478 teaches the use of a mobile refrigerated tank for juices and that this refrigeration would be effective for stabilizing the juice and that it would

have been obvious to have employed this step to help preserve and stabilize juice. Applicant disagrees, as any arguable combination of FR 2737478 with DE 19818546 would still fail to disclose the present invention as respectively defined by claims 22, 26 and 31. In particular, the refrigeration of FR 2737478 would not be effective for stabilizing unchilled extracted citrus fruit juice, but at best would only arguably be effective in maintaining extracted citrus fruit juice after it has already been chilled to at least a temperature effective for stabilizing the juice. If freshly extracted citrus fruit juice were loaded into a refrigerated tank (e.g., such as that disclosed in FR 2737478) without first being separately chilled, the temperature of the juice would not be reduced quickly enough (and perhaps not at all) by the refrigerated tank, and the juice would accordingly not be effectively stabilized. Accordingly, FR 2737478 does not teach, suggest or otherwise disclose the chilling as respectively recited by each of independent claims 22, 26, and 31, and neither DE 19818546 nor any arguable admission by Applicant resolves this deficiency. For this additional reason, the rejection of these claims is improper and should be removed.

Furthermore, there appears to be no motivation to combine FR 2737478A1 with DE 19818546 to reach the present invention as defined by claims 22-26 and 31-55. DE 19818546 is limited to processing of grapes, does not mention or imply citrus fruit, does not mention refrigeration, and does not imply that refrigeration is necessary or beneficial for fruit juice processed in accordance with its teachings (i.e.: extracted grape juice). One skilled in the art would accordingly not be motivated to modify DE 19818546 to include refrigeration, such as that taught by FR 2737478A1. Therefore, for this additional reason, the rejection of claims 22-26 and 31-55 is improper and should be removed.

For all of the reasons set forth above, it is believed that the rejections are overcome and claims 22-26 and 31-55 are in condition for allowance. Applicants respectfully request reconsideration and early allowance of this application.

Respectfully submitted,

By 

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